10696180 - G

date: 08/09/2005

Morney's Docket No. 018360/270350

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Myrick, et al.

Confirmation No.: 6566

Appl. No.:

10/696,180

Art Unit:

2629

Filed:

October 28, 2003

Examiner:

For:

ALTERNATE DELIVERY LOCATION METHODS AND SYSTEMS

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL CITATION UNDER 37 C.F.R. § 1.97

Sir:

Attached is a Supplemental Form PTO-1449 listing several documents that were first cited in the International Search Report for the corresponding International Application Number PCT/US2003/34746 not more than three months prior to the filing of this Statement. In this regard, Applicant notes that the International Search Report was not received by any individual designated by 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

In addition, this supplemental Form PTO-1449 and its citations have been filed before the first Office Action on the merits. Accordingly, no fee or petition are believed necessary under 37 C.F.R. § 1.97(b)(3) in connection with the filing of this paper. The Search Report is enclosed along with any cited foreign patent documents and non-patent literature documents in accordance with 37 CFR 1.98(a)(2).

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By identifying the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead identifying the listed documents for the sake of full disclosure.

Receipt date: 08/09/2005 10696180 - GAU: 3629

Respectfully submitted,

Jon M. Jurgovan

Registration No. 34,633

Customer No. 00826 ALSTON & BIRD LLP

Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Atlanta Office (404) 881-7000 Fax Atlanta Office (404) 881-7777

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 5, 2005

Shelley Victoria

Receipt date: 08/09/2005

Substitute for form 1449/PTO Complete if Known (Revised 04/2003) Application Number 10/696,180 October 28, 2003 Filing Date INFORMATION DISCLOSURE Robert Myrick, et al First Named Inventor STATEMENT BY APPLICANT Group Art Unit 3629 (Use as many sheets as necessary) **Examiner Name** Attorney Docket Number 018360/270350 of

| U. S. PATENT DOCUMENTS Document Number | | | | | | | |
|---|-----------------------|-------------|--|--------------------------------|--|---|--|
| | Examiner Initials* | Cite No. | <u>Document Number</u> Number - Kind Code (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear | |
| | /K.E | / 2 | US-2004/0211834 A1 | 10-28-2004 | Fleckenstein et al | | |
| | /K.E. | / 3 | US-2005/0104716 A1 | 05-19-2005 | Simms et al | | |
| | | | | | | | |

| | | FORE | IGN PATENT D | OCUMENTS | | | | |
|----------------------|-------------|--|---|---|--|--|--|--|
| Examiner Initials | Cite No. | Foreign Patent Document Country Code - Number Kind Code (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | English Language Translation Attached | | |
| | | | | | | | | |
| | | | OTHER DOCUM | IENTS | | | | |
| Examiner Initials | Cite No. | The garden, for the strain, of the strain, the strain of t | | | | | | |
| | /KE./ | | INTERNATIONAL SEARCH REPORT, dated July 5, 2005 for International Application No. PCT/US 2003/34746 filed October 31, 2003. | | | | | |

ATL01/12005094v1

| | V | | |
|-----------|------------------|------------|------------|
| Examiner | 13 (1) | Date | 04/23/2010 |
| Signature | /Kimberly Evans/ | Considered | 04/20/2010 |

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.